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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

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9 United States of America, ) CR-04-0239-002-PHX-FJM

10 Plaintiff, )

11 vs. )

12 Fidel Mendez, ) **ORDER**

13 Defendant. )

14 \_\_\_\_\_)

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16 A detention hearing and a preliminary revocation hearing on the Petition on

17 Supervised Release were held on October 16, 2007.

18 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and

19 voluntarily waived his right to a detention hearing and has consented to the issue of

20 detention being made based upon the allegations in the Petition.

21 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden

22 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that

23 he is not a danger to the community. United States v. Loya, 23 F.3d 1529 (9th Cir. 1994).

24 **IT IS ORDERED** that the Defendant shall be detained pending further order of the

25 court.

26 DATED this 18<sup>th</sup> day of October, 2007.

27   
 28 Lawrence O. Anderson  
 United States Magistrate Judge